

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re RICARDO N., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

RICARDO N.,

Defendant and Appellant.

F078115

(Super. Ct. No. 16CEJ600048-5)

OPINION

THE COURT*

APPEAL from an order of the Superior Court of Fresno County. Gregory T. Fain,
Judge.

Kristen Owen, under appointment by the Court of Appeal, for Defendant and
Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and
Respondent.

-ooOoo-

* Before Poochigian, Acting P.J., Peña, J. and Meehan, J.

The court readjudged appellant Ricardo N. a ward of the court after he admitted one count of shooting into an inhabited dwelling (Pen. Code, § 246). Following independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On May 14, 2018, at around 10:30 p.m., appellant, who was then 15 years old, drove another male in a stolen vehicle to a location on C Street in Fresno. The other male got out of the car, ran up to a house, and fired 23 rounds at it. The male ran back to the vehicle, got in, and appellant drove off. Responding officers found that the house had been struck numerous times and they located several .40-caliber shell casings in the roadway. The bullets struck the front door and a bedroom. Some of the bullets penetrated a secondary wall in an interior bedroom where two occupants were located. The occupants told the officers that they were in a bedroom when they heard gunshots and went to the ground to avoid being hit.

Other officers located the suspect vehicle and initiated a traffic stop. Appellant, however, fled at a high rate of speed and crashed, then ran from the scene. Appellant was detained shortly after the crash. During a yard-to-yard search, an officer found an empty Glock 22-round, .40-caliber magazine for a handgun.

On May 16, 2018, the Fresno County District Attorney filed a juvenile wardship petition charging appellant with shooting at an inhabited dwelling (count 1) and evading a peace officer (Veh. Code, § 2800.2, subd. (a); count 2).

On May 23, 2018, appellant admitted the discharge of a firearm count in exchange for the dismissal of the remaining count.

On July 17, 2018, the court aggregated time from previous petitions and committed appellant to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, for a maximum term of confinement of nine years four months.

On September 14, 2018, appellant filed a timely appeal.

Appellant's appellate counsel has filed a brief that summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the record. (*People v. Wende, supra*, 25 Cal.3d 436.) Appellant has not responded to this court's invitation to submit additional briefing.

Following an independent review of the record, we find that no reasonably arguable factual or legal issues exist.

DISPOSITION

The order is affirmed.